

C.) REMARKS:

1. Introduction

Claims 1-12 are currently pending in this application. Claims 1, 7, 8, 11 and 12 are independent. Claims 1-8, 11 and 12 have been amended herein. Certain amendments to the independent claims have been entered in response to the pending Examiner's rejections, as detailed hereinbelow.

Other amendments to the pending claims may have also been made, but only to clarify the scope of that which the Applicants regard as his invention, and are not meant to limit the scope of such claims as existed prior to such amendments or limit the applicability of any equivalents thereto.

No new subject matter has been added to this application by these amendments.

2. Claim Rejections Under 35 USC §112

In paragraphs 1 and 2 of the Office Action, the Examiner has rejected claims 11 and 12 under 35 USC §112, second paragraph, as being indefinite for reciting "of the selected service provider" without proper antecedent basis. The applicants have amended claims 11 and 12 to correct this informality, such that the claims now recite "of the second service provider" as recommended by the Examiner. Accordingly, reconsideration of withdrawal of this rejection of claims 11 and 12 is respectfully requested.

3. Objections to the Specification

In paragraph 3 of the Office Action, the Examiner has objected to the reference to FIG. 5 on page 15, line 13 of the specification. The applicants have amended the specification herein to recite "FIG. 6" as suggested by the Examiner. Reconsideration of withdrawal of this objection is therefore respectfully requested.

4. Rejection of Claims under 35 U.S.C. §102

In the Office Action, the Examiner has rejected pending claims 1-12 under 35 U.S.C. §102 in view of U.S. Patent No. 5,790,548 to Sistanizadeh et al. (referred to hereinafter as “the ‘548 patent”). This rejection has been overcome by the following amendments entered to the Applicant’s independent claims 1, 7, 8, 11 and 12 herein, in which variations of the following recitations have been entered:

(a) transmitting, to the subscriber, user credentials for accessing each of the first and second service networks, the user credentials for storage by the computer;

(b) initiating, in response to the second request, a network address change request to release the first network address using a configuration protocol without changing the user credentials of the subscriber for the first service network; and

Support for these recitations can be found, inter alia, in the Applicant’s Specification at page 10, line 12 to page 11, line 17; page 16, line 9 to page 18, line 10; and FIGS. 3 and 4 thereof. The Applicants have been mindful of the provisions of MPEP §608.01(o) in making these amendments and believe the recitations herein are readily apparent from the referenced sections of the Specification.

This functionality is neither taught nor suggested by any of the ‘548 patent. The ‘548 teaches providing access between a plurality of customers and a plurality of Internet Service Providers through an access network (See FIG. 1 thereof), but is devoid of any teaching or suggestion that each individual customer may maintain credentials for a plurality of ISPs, and switch between the plurality of service provider for Internet access without changing their user credentials to access the remaining ISPs. This functionality introduced by the applicants allows a subscriber to change between ISPs without having to re-subscribe to the various ISPs, as will be readily apparent from the disclosure. Such functionality is not possible in any of the applicable prior art of record, including that recited in paragraph 8 of the Office Action.

Therefore, reconsideration and withdrawal of these rejections of independent claims 1, 7, 8, 11 and 12 for at least these reasons are respectfully requested. Reconsideration and withdrawal of the rejections of each remaining dependent claims 2-6 and 9-10 are likewise respectfully requested based on their ultimate dependency of one the above independent claims.

5. Provisional Non-Statutory Double Patenting Rejection

In paragraphs 6-7 of the Office Action, the Examiner has rejected each of claims 1-12 under the judicially-created doctrine of obviousness-type double patenting in view of US Application Ser. No. 09/812,313 and 09/812,442, which are commonly owned by the assignee of the present application. The Applicants believe that such provisional rejection is no longer applicable in light of the amendments entered herein. Accordingly, reconsideration of this provisional rejection is respectfully requested.

6. Conclusion

This amendment is responsive to each issue raised in the Office Action dated June 23, 2004. All objections and rejections of pending claims 1-12 and have been overcome above. The Applicant therefore respectfully requests allowance of each of the pending claims as presented herein, and issuance of the present application.

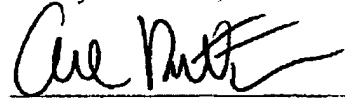
Please note that a REVOCATION OF ASSOCIATE POWER OF ATTORNEY AND APPOINTMENT OF NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS in favor of the undersigned attorney has been filed with this Response. Please direct all correspondence to the address corresponding to Customer No. 26652 (AT&T Corp, Room 2A-207, One AT&T Way, Bedminster, NJ, 07921) as stated therein.

The Examiner is invited to contact the undersigned attorney by telephone if it will advance the prosecution of this application.

In the event that a further extension of time is required in addition to that requested previously herein, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time, or credit any overpayment, to the below-signed practitioner's deposit account number: 502396.

Respectfully submitted,

By:



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Dated: September 23, 2004